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6 IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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CLARKE AND REBECCA WIXON, et al.,

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Plaintiffs,

No. C 07-02361 JSW

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v.

**ORDER TO SHOW CAUSE RE
THIRD AMENDED COMPLAINT**

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TRENDWEST RESORTS INC, et al.,

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Defendants.

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On August 29, 2008, Plaintiffs filed a motion to file portions of their Third Amended Complaint under seal. (Docket No. 146.) On September 2, 2008, Plaintiffs filed a redacted version of their Third Amended Complaint. (Docket No. 147.) On September 8, 2008, Defendants filed responses to Plaintiffs' motion to seal. (Docket Nos. 154, 156.) On September 9, 2008, the Court issued an Order, in which it denied Plaintiffs' motion as to certain portions of the Third Amended Complaint based on Defendants lack of opposition to filing those portions in the public record. The Court also denied without prejudice the request as to paragraphs 116 and 117 of the Third Amended Complaint pending a further showing from the Defendants that the redacted portion was confidential material. (Docket No. 158.)

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Defendants, to date, have not made such a showing. Accordingly, Defendants are HEREBY ORDERED to show cause why the redacted portions of paragraphs 116 and 117 should not be filed in the public record. Defendants' response is due by no later than September 16, 2009.

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Based upon the Court's review of the docket, it appears that Plaintiffs did not file a version of the Third Amended Complaint which comports with the Court's Order dated

1 September 9, 2008. Accordingly, it is FURTHER ORDERED that Plaintiffs shall file a version
2 of the Third Amended Complaint in the public record that is in accordance with the Court's
3 ruling dated September 9, 2008.

4 **IT IS SO ORDERED.**

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6 Dated: September 11, 2009

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8 JEFFREY S. WHITE
9 UNITED STATES DISTRICT JUDGE